

## CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 8/17/15	NEED RESPONSE BY: 8/24/15
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Santa Barbara County	
3. PHONE NO.:	7. SUBJECT: Shelter Expense	
4. REGULATION CITE(S):	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>  ACL 06-31	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):  
 Client has filed a fair hearing. Client is a property manager for his complex and he is paid regular wages and in addition is also paid a rent allowance. His pay stubs reflect the rent allowance as earnings, but the same amount reflected for the rent allowance is also shown under deduction.

Do we include the rent allowance as part of his gross income and allow the shelter expense? Or is the rent allowance excluded as income?

10. REQUESTOR'S PROPOSED ANSWER:  
 Per ACL 06-31 - Contributions from persons or organizations that a donor would not make available for an expenditure unless the contribution is used in accordance with conditions imposed by the donor. For example, an uncle gives \$200 to the household to purchase new tires. The \$200 is not considered income when the receipts for the tire expenditure verify the contributor's intended purpose for the contribution.

Based on the fact that the rent allowance is designated specifically for rent, that amount should be excluded as income.

11. STATE POLICY RESPONSE (CFPB USE ONLY):  
 The state concurs with the proposed response based on CalFresh Regulations MPP 63-502.2(a)(1) and (A) Handbook: "If the employer provides housing to an employee, the value of the housing shall not be counted as income."

### FOR CDSS USE

DATE RECEIVED:

August 17, 2015

DATE RESPONDED TO COUNTY/ALJ:

August 18, 2015 JN